

REMARKS

The present application, U.S. Application No. 10/630,347 (hereinafter referred to as the “instant application”), claims apparatuses, methods, and systems for an electronic insertion or extraction cycle counter and logger device. The base claims of the instant application are Claims 1, 11, 21, and 22. On page 1 of the Office Action, the “Disposition of Claims” section presents that Claims 7-22 are rejected. The Applicant believes that the citation was made in error and that the current Office Action rejects Claims 1-22.

Claims 1-22 are pending in the application and have been objected to and rejected in the current Office Action on two grounds. First, Claim 4 is objected to because the Office Action asserts that an informality exists. Second, “Claims 1-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitchell (US 6,662,119).” In response to the rejections and assertions set forth in the Office Action, the Applicant respectfully submits that Claims 1-22 should not be rejected under 35 U.S.C. § 103(a). Each of these rejections and assertions are responded to below.

Claim Objection

The Office Action asserts that Claim 4 is objected to because it lacks antecedent basis for “the performance” in the claim. The Applicant believes that the amendment to Claim 4 in the Claim Listing above overcomes the objection. Acceptance is respectfully requested.

Claim Rejection

The Applicant believes that the rejection of Claims 1-22 under 35 U.S.C. § 103(a) should be withdrawn based upon the attached Declaration of Mark C. Inlow under 37 C.F.R. § 1.131, which establishes the date of conception and reduction to practice of the invention of the subject matter of the rejected claims was prior to the effective date of the reference on which the aforementioned rejection is based.

CONCLUSION

In view of the above amendment and remarks, it is believed that all now pending claims, Claims 1-22, are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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